

Bureau of Internal Affairs
Investigations Division
General Investigations Section

13 Nov 2013
Log# 1056741

TO: Commanding Officer
Investigations Division
General Investigations Section


FROM: Police Agent Gwendolyn HARRIS, #7938
Investigations Division
General Investigations Section

SUBJECT: Approval of Log Investigation
Log Number 1056741 Confidential # None

The attached Log number investigation has been completed and is
being submitted for approval.


Agent Gwendolyn HARRIS, #7938

Approved:


Case Management Sergeant
Investigations Division
General Investigations Section

14 Nov 13

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENTLOG NO
1056741TYPE
CRDATE OF REPORT
13-NOV-2013

INSTRUCTIONS To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
HARRIS, GWENDOLYN	9174	7938		121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 727 E. 111TH ST, CHICAGO, IL 60628	DATE / TIME: 31-AUG-2012 09:08	BEAT: 531
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
BROWN, DAVID A	9161	15887		003		M / BLK	1969	28-OCT-2002	YES	YES
JONES, MICHAEL D	9161	12104		003		M / BLK	1976	21-JUN-1999	YES	YES
MONDRAGON, IVAR	9161	16929		003		M / S	1973	27-AUG-2007	YES	YES
WEST, DARRIN T	9122			005		M / BLK	1971	16-SEP-1998	YES	NO
HIGGINS, LISA C	9161	7680		005		F / WHI	1966	21-JUN-1999	UNK	YES
FORBERG, BRIAN P	9165	21249		620		M / WHI	1960	10-JUL-1995	UNK	YES
LEE, LAWRENCE	9161	9869		005		M / BLK	1963	14-DEC-1998	UNK	YES
BRYANT, ALI H	9161	11249		003		M / BLK	1975	09-MAR-2009	UNK	YES
JONES JR, CLARENCE L	9161	16142		003		M / BLK	1965	31-AUG-1998	UNK	YES
JONES, GREGORY D	9161	19819		005		M / BLK	1963	02-SEP-1997	UNK	YES
ANNOR, SAMUEL	9161	6224		005		M / BLK	1960	13-DEC-1999	UNK	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
MC CARTNEY, MICHELLE	RANK: 9173, STAR NO: 325, EMP NO:			F / WHI	1965 / 48

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		M / BLK	1988 / 25

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
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* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1056741

TYPE

CR

DATE OF REPORT

13-NOV-2013

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION

ALLEGATIONS

Complaint classified as "CR" Sworn Affidavit NOT required.

Accused 1. Police Officer Michael JONES, #12104, Unit 003

It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, arresting Officer Michael JONES, #12104, failed to do a proper search of his arrestee [REDACTED] in that a plastic bag containing 16 suspect ecstasy pills was found in the arrestee's pants pocket after he swallowed one pill while in the 5th District lock-up. Ref., RD# [REDACTED]

Accused 2. Police Officer David BROWN, #15887, Unit 003

It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, arresting Officer David BROWN, #15887, failed to do a proper search of his arrestee, [REDACTED] in that a plastic bag containing 16 suspect ecstasy pills was found in the arrestee's pants pocket after he swallowed one pill while in the 5th District lock-up. Ref., RD# [REDACTED]

Continued on page 3

SUMMARY

SEE PAGES 5 thru 7 FOR INVESTIGATION

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
6,7	10, 12, 14, 16, 17, 19, 21,23, 25, 27, 29, 30, 32		34

FINDINGS - RECOMMENDATIONS

SEE PAGES 8 thru 9 FOR FINDINGS and RECOMMENDATIONS

DATE INITIATED
(Date incident was received for investigation)

08-MAR-2013

DATE COMPLETED (Date of this report)

13-NOV-2013

ELAPSED TIME
(Total time expressed in days)

250

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section

INVESTIGATOR'S SIGNATURE

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM

ALLEGATIONS (continued from page 1)

Accused #3. Police Officer Ivan MONDRAGON, #16929, Unit 003

Allegation 1.

It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, arresting Officer Ivan MONDRAGON, #16929, failed to do a proper search of his arrestee, [REDACTED] in that a plastic bag containing 16 suspect ecstasy pills was found in the arrestee's pants pocket after he swallowed one pill while in the 5th District lock-up.
Ref., RD# [REDACTED]

Accused #4. Detention Aide Darrin WEST, Employee 195, Unit 005

Allegation 1.

It is alleged by Lieutenant McCARTNEY, #325, that on 30 Aug 12, at approximately 0211 hours, Detention Aide Darrin WEST, Employee [REDACTED] failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref., RD# [REDACTED]

Allegation 2.

It is alleged by Lieutenant McCARTNEY, #325, that while assigned as lock-up keeper on 31 Aug 12, at approximately 0053 hours, Detention Aide Darrin WEST accepted [REDACTED] from Detective FORBERG, and failed to do a proper search of arrestee who subsequently swallowed 16 suspect ecstasy pills were found in the arrestee's pants pocket while being transferred from one cell to another within the lockup.

Accused #5. Police Officer Lisa C. HIGGINS, #7680, Unit 005

Allegation 1.

It is alleged by Lieutenant McCARTNEY, #325, that on 31 Aug 12, at approximately 0053 hours, while assigned to 5th District lock-up, Police Officer Lisa HIGGINS, #7680, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up.
Ref., RD# [REDACTED]

SUMMARY REPORT DIGEST
CL#1056741

- Accused #6.** **Detective Brian P. FORBERG, #21249, Unit 620**
Allegation 1. It is alleged by Lieutenant McCARTNEY, #325, that on 30 Aug 12, from approximately 1230 hours to 31 Aug 12 at approximately 0053 hours, Detective Brian FORBERG, #21249, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref., RD# [REDACTED]
- Accused #7.** **Police Officer Lawrence LEE, #9869, Unit 005**
Allegation 1. It is alleged by Lieutenant McCARTNEY, #325, that on 30 Aug 12, at approximately 1230 hours, lock-up keeper Officer Lawrence LEE, #9869, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref., RD# [REDACTED]
- Allegation 2.** It is further alleged by Lieutenant McCARTNEY that on 31 Aug 12 at approximately 0905 hours, lock-up keeper Officer Lawrence LEE, #9869, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up.
- Accused #8.** **Police Officer Ali H. BRYANT, #11249, Unit 003**
Allegation 1. It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, at approximately 1734 hours, during the transport of prisoner [REDACTED] Police Officer Ali BRYANT, #11249, failed to do a proper search of arrestee in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while in the 5th District lock-up. RD# [REDACTED]
- Accused #9.** **Police Officer Clarence L. JONES, Jr. #16142, Unit 003**
Allegation 1. It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, at approximately 1734 hours, during the transport of prisoner [REDACTED] Police Officer Clarence JONES, Jr., failed to do a proper search of arrestee in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while in the 5th District lock-up. RD# [REDACTED]

SUMMARY REPORT DIGEST
CL# 1056741

Accused #10.	Police Officer Gregory D. JONES, #19819, Unit 005
Allegation 1.	It is alleged by Lieutenant McCARTNEY, #325, that while assigned as lock-up keeper on 30 Aug 12, at approximately 0211 hours, Police Officer Gregory JONES, #19819, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref..RD# [REDACTED]
Allegation 2.	It is alleged by Lieutenant McCARTNEY, #325, that while assigned as lock-up keeper on 31 Aug 12, at approximately 0053 hours, Police Officer Gregory JONES, #19819, accepted [REDACTED] from Detective FORBERG, and failed to do a proper search of arrestee who subsequently swallowed 16 suspect ecstasy pills were found in the arrestee's pants pocket while being transferred from one cell to another within the lockup.
Accused #11.	Police Officer Samuel ANNOR, #6224, Unit 005
Allegation 1.	It is alleged by Lieutenant McCARTNEY, #325, that while assigned as lock-up keeper on 31 Aug 12, at approximately 0053 hours, Police Officer Samuel ANNOR, #6224, accepted [REDACTED] from Detective FORBERG, and failed to do a proper search of arrestee who subsequently swallowed 16 suspect ecstasy pills were found in the arrestee's pants pocket while being transferred from one cell to another within the lockup.

INVESTIGATION

On 31 Aug 2012, this complaint was simultaneously recorded as extraordinary occurrence #12-032, under complaint log numbers 1056740 and 1056741. The Independent Police Review Board administratively closed log number 1056740 on 21 Sep 2012. However, subject complaint was re-assigned to the undersigned on 28 Feb 2013. (Attachments 4, 5, 29)

A review of Lieutenant M. McCARTNEY's Initiation Report revealed that on 31 Aug 2012, at approximately 0850 hours, in the 5th District male lock-up, prisoner [REDACTED] was being moved from one cell to another by Police Officer Lawrence LEE, #9869. During said movement, Officer LEE discovered a bulge in prisoner [REDACTED] pants pocket and searched [REDACTED] to recover a plastic bag containing 16 ecstasy pills. McCARTNEY's report

SUMMARY REPORT DIGEST
CL#1056741

continues that as LEE recovered the plastic bag from the prisoner's pocket, the bag broke and the pills scattered on the floor. McCARTNEY further reported that prisoner [REDACTED] grabbed one of the pills, swallowed same, and was transported to Roseland Hospital for medical treatment which he refused. [REDACTED] was subsequently returned to the lock-up. Lieutenant McCARTNEY obtained two complaint log numbers and generated a Report of Extraordinary or Unusual Occurrences. (Attachments 5, 7)

A trace of [REDACTED] movements and encounters with Department members during an approximate 40 hour time-line was done by a review of the arrest report under RD [REDACTED]. It revealed that he was taken into custody at 75 [REDACTED] S. Kingston, at approximately 1731 hours on 29 Aug 12, by Third District Tactical Officers Michael JONES, #12104, David BROWN, #15887, and Ivar MONDRAGON, #16929, then transported to Area South for processing by Beat 305, Police Officers Ali BRYANT, #11249, and Clarence JONES, Jr., #16142. [REDACTED] was placed in the lock-up with Officer Gregory JONES, #19819, (lockup-keeper) and Detention Aide Darrin WEST so assigned. (Attachments 6, 8)

Prisoner [REDACTED] was released from the Area South lock-up on 30 Aug 12, at approximately 1230 hours by Officer Lawrence LEE, #9869, and turned over to Detective Brian FORBERG, #21249, Unit 620, who held him approximately 12 hours. It is recorded that Detective FORBERG returned arrestee [REDACTED] to the custody of Police Officer Lisa HIGGINS, # 7680, at the male lock-up approximately at 0053 hours on 31 Aug 12. At 0905 hours, 31 Aug 12, Officer LEE again moved the arrestee from one cell to another when the suspect ecstasy was discovered in [REDACTED] pocket. Consequently, LEE, FORBERG, and HIGGINS are also accused. (Attachment 6)

Accused Michael JONES, #12104, stated he performed a search of [REDACTED] before escorting him to the lock-up where he observed the detention aide perform a search. JONES reported that both searched produced negative narcotics and negative ecstasy pills. (Attachment 10)

Accused Officer David BROWN, #15887, reported that at the time of arrest he conducted a search of [REDACTED] pants pockets and no suspect ecstasy pills were present. (Attachment 12)

Accused Officer MONDRAGON, #16929, related he did not search the prisoner because Officer BROWN did one. MONDRAGON reported that he transported [REDACTED] to the Fifth District. (Attachment 14)

Detention Aide Darrin WEST, Employee [REDACTED], stated he gave [REDACTED] a thorough pat down search and did not find any contraband on the arrestee during his first acceptance to lock-up on 30 Aug 13. WEST stated he could not recall if he accepted [REDACTED] on 31 Aug 13, but if he did he would have conducted a proper search within Department guidelines. (Attachment 16, 17)

Officer Lisa HIGGINS, #7680, stated she was assigned to the district front desk and did not search a male arrestee at any time. (Attachment 18)

SUMMARY REPORT DIGEST

CL#1056741

Detective FORBERG, #21249, reported that he received [REDACTED] from the lock-up at 0030 hours on 30 Aug 12, escorted him to interview room two, subsequently to room three and later returned to room two. FORBERG stated that at the conclusion of the interviews in room two, [REDACTED] was searched and had no contraband on his possession, then returned to the lock-up at 0053 hours on 31 Aug 12. (Attachment 20)

Accused Officer Lawrence LEE, #9869, reported he did not receive arrestee [REDACTED] into the lock-up from the outside unit nor at the time of return from the Area. LEE stated he conducted a search of [REDACTED] while moving him from one cell to another, and felt several small objects. LEE stated he retrieved the small objects to learn it was a bag of multiple pills that [REDACTED] grabbed out of his hand, causing the pills to spill to the floor. (Attachment 22)

Officer Ali BRYANT, #11249, related that he did not search [REDACTED], but he was present when Officer Clarence JONES, Jr., #16142, searched him after the arrest and prior to placing him in the transport vehicle. BRYANT stated no contraband was found at that time. (Attachment 24)

Officer Clarence JONES, Jr., #16142, stated he searched [REDACTED] prior to transport to the area and again in the interview room, adding that both times there was no contraband found. (Att .26)

Accused Officer Gregory JONES, #19819, stated he did not search [REDACTED] on either date, in that he observed WEST conduct the searches and [REDACTED] had nothing illegal on him. (Attachment 29, 30)

Lastly, Officer ANNOR, #6224, stated he had no recollection of accepting [REDACTED] from Detective FORBERG, but if so, he would have conducted a proper custodial search. (att 32)

In summary, prisoner [REDACTED] was taken into custody on 29 Aug 12, at 1731 hours, transported to Area Central, and received in the lock-up at 0211 hours on 30 Aug 13. Ten hours later, prisoner [REDACTED] was removed from lock-up, kept for a twelve hour line-up and interview, and returned to lock up at 0053 hours, 31 Aug 31. As prisoner [REDACTED] was being moved to another cell at approximately at 0850 hours on 31 Aug 13, suspect ecstasy was discovered in [REDACTED] pocket.

This investigation is unable to determine when, how or where, [REDACTED] came to have the contraband on his person. [REDACTED] was in police custody for nearly 48 hours before the discovery was made and had come into contact with at least eleven Department members. It seems unlikely that not one of those eleven members would not have seen a bulge in his front pants pocket. In that all members deny inattention during their searches, coupled with [REDACTED] twelve hour block at the area, the possibility that he could have found the substance in a cell or it was given the ecstasy by another prisoner in lock-up between 0053 to 0850 hours, it is recommended that all allegations be not sustained at this time.

SUMMARY REPORT DIGEST
CL#1056741

FINDINGS

- Accused #1. Police Officer Michael JONES, #12104, Unit 003**
Allegation. Not sustained.
- Accused #2. Police Officer David BROWN, #15887, Unit 003**
Allegation. Not sustained.
- Accused #3. Police Officer Ivan MONDRAGON, #16929, Unit 003**
Allegation. Not sustained.
- Accused #4. Detention Aide Darrin WEST, Employee [REDACTED] Unit 005**
Allegation 1. Not sustained.
Allegation 2. Not sustained.
- Accused #5. Police Officer Lisa C. HIGGINS, #7680, Unit 005**
Allegation. Not sustained
- Accused #6. Detective Brian FORBERG, #21249, Unit 620**
Allegation. Not sustained.
- Accused #7. Police Officer Lawrence LEE, #9869, Unit 005**
Allegation 1. Not sustained.
Allegation 2. Not sustained.
- Accused #8. Police Officer Ali H. BRYANT, #11249, Unit 003**
Allegation Not sustained
- Accused #9. Police Officer Clarence L. JONES, Jr. #16142, Unit 003**
Allegation Not sustained
- Accused #10. Police Officer Gregory D. JONES, #19819, Unit 005**
Allegation 1 Not sustained
Allegation 2. Not sustained
- Accused #11. Police Officer Samuel ANNOR, #6224, Unit 005**
Allegation Not Sustained.

SUMMARY REPORT DIGEST
CL#1056741

RECOMMENDATIONS

Accused 1.	Police Officer Michael JONES, #12104,	No disciplinary action warranted.
Accused 2.	Police Officer David BROWN, #15887,	No disciplinary action warranted.
Accused 3.	Police Officer Ivan MONDRAGON, #16929,	No disciplinary action warranted.
Accused 4.	Detention Aide D.WEST, Employee [REDACTED]	No disciplinary action warranted.
Accused 5.	Police Officer Lisa C. HIGGINS, #7680,	No disciplinary action warranted.
Accused 6.	Detective Brian FORBERG, #21249,	No disciplinary action warranted.
Accused 7.	Police Officer Lawrence LEE, #9869,	No disciplinary action warranted.
Accused 8.	Police Officer Ali BRYANT, #11249,	No disciplinary action warranted.
Accused 9.	Police Officer C. L. JONES, Jr. #16142,	No disciplinary action warranted.
Accused 10.	Police Officer Gregory D. JONES, #19819,	No disciplinary action warranted.
Accused 11.	Police Officer Samuel ANNOR, #6224,	No disciplinary action warranted.

Attachments

No.	Type	Related Person	No. of Pages	Narrative
1	FACE SHEET	N/A		
2	CONFLICT CERTIFICATION	N/A		
3	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	Not Required
4	REPORT (OTHER)	N/A	1	Reassignment of CL #1056741
5	INITIATION REPORT	N/A	1	Lt. McCarthney #325
6	ARREST REPORT	N/A	24	RE: [REDACTED] Ref., RD# [REDACTED]
7	REPORT (OTHER)	N/A	3	Copy of Report of Extraordinary/Unusual Occurrence, Ref.,
8	ATTENDANCE AND ASSIGNMENT RECORD	N/A	8	"Additional Accused Members Identified," and related documents
9	ACCUSED NOTIFICATION OF ALLEGATIONS FOR JONES, MICHAEL	ACCUSED - JONES, MICHAEL		
10	ACCUSED REPORT	N/A	1	P/O Michael JONES, #12104
11	ACCUSED NOTIFICATION OF ALLEGATIONS FOR BROWN, DAVID	ACCUSED - BROWN, DAVID		
12	ACCUSED REPORT	N/A	1	P/O David BROWN, #15887
13	ACCUSED NOTIFICATION OF ALLEGATIONS FOR MONDRAGON, IVAR	ACCUSED - MONDRAGON, IVAR		
14	ACCUSED REPORT	N/A	1	P.O. I. MONDRAGON, #16928, dated 28 Apr 13
15	ACCUSED NOTIFICATION OF ALLEGATIONS FOR WEST, DARRIN	ACCUSED - WEST, DARRIN		
16	ACCUSED REPORT	N/A	1	Det. Aide Darrin WEST, Employee # [REDACTED] dated 13 Jun 13
17	ACCUSED REPORT	N/A	1	Report of Det. Aide D. WEST, Employee # [REDACTED] dated 10 Oct 13
18	ACCUSED NOTIFICATION OF ALLEGATIONS FOR HIGGINS, LISA	ACCUSED - HIGGINS, LISA		
19	ACCUSED REPORT	N/A	1	P/O Lisa HIGGINS, #7680
20	ACCUSED NOTIFICATION OF ALLEGATIONS FOR FORBERG, BRIAN	ACCUSED - FORBERG, BRIAN		
21	ACCUSED REPORT	N/A	1	Det. B. FORGERG, #21249
22	ACCUSED NOTIFICATION OF ALLEGATIONS FOR LEE, LAWRENCE	ACCUSED - LEE, LAWRENCE		
23	ACCUSED REPORT	N/A	1	P.O. Lawrence LEE, #9869, dated 14 Jun 13
24	ACCUSED NOTIFICATION OF ALLEGATIONS FOR BRYANT,	ACCUSED - BRYANT, ALI		

25	ACCUSED REPORT	N/A	1	P.O. BRYANT, #11249, dated 30 Apr 13
26	ACCUSED NOTIFICATION OF ALLEGATIONS FOR JONES JR, CLARENCE	ACCUSED - JONES JR, CLARENCE		
27	ACCUSED REPORT	N/A	1	P/O Clarence JONES, Jr., #16142
28	ACCUSED NOTIFICATION OF ALLEGATIONS FOR JONES, GREGORY	ACCUSED - JONES, GREGORY		
29	ACCUSED REPORT	N/A	1	P.O. Gregory JONES, #19819, dated 05 May 13
30	ACCUSED REPORT	N/A	1	P.O. Gregory JONES, #19819, dated 05 Nov 13
31	ACCUSED NOTIFICATION OF ALLEGATIONS FOR ANNOR, SAMUEL	ACCUSED - ANNOR, SAMUEL		
32	ACCUSED REPORT	N/A	1	P.O. Samuel ANNOR, #6224, dated 07 Sep 13
33	REPORT (OTHER)	N/A	4	Face Sheet RE:CL 1056740
34	ATTENDANCE AND ASSIGNMENT RECORD	N/A	2	31 Aug 13